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HUMAN RIGHTS COMMITTEE

Sixty-seventh session

SUMMARY RECORD OF THE 1799th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 28 October 1999, at 10 a.m.

Chairperson: Ms. MEDINA QUIROGA

later: Mr. AMOR
(Vice-Chairperson)

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GE.99-45055 (E)

The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT (agenda item 6) (continued)

Third periodic report of Cameroon (continued) (CCPR/C/102/Add.2)

1. At the invitation of the Chairperson, the members of the delegation of Cameroon resumed their places at the Committee table.

2. Mr. NGOUBEYOU (Cameroon) thanked members of the Committee for the concern they had expressed about a number of matters in his country. His delegation would try to respond to the questions asked at the previous meeting.

3. Ms. KEM (Cameroon), replying to the questions on the situation of women, expressed sincere appreciation for the deep concern shown by members of the Committee on that subject. The answers to many of the questions raised could be found in Cameroon's initial report to the Committee on the Elimination of Discrimination against Women (CEDAW), which was now awaiting consideration, and in a report for the United Nations on implementation in Cameroon of the Beijing Platform for Action. Many of the issues were addressed in a Cameroonian priority project relating to the Family Code. In general, Cameroon was making intensive efforts to educate women on their rights and how to exercise them, and was reviewing its laws with the aim of carrying out reforms where necessary.

4. Polygamy, a member of the Committee had asserted, was an insult to women and an abuse of their rights. Her Government acknowledged that polygamy was still a social and legal fact in Cameroon and that a systematic effort was necessary in order to change deep-rooted attitudes. The continued existence of polygamy was linked to cultural and religious diversity. The practice was not encouraged; stress was being placed on education and consciousness-raising efforts. Premarital counselling was provided by the Ministry for Women's Affairs on the choice between monogamy and polygamy and on the consequences and rights of the individual under each option. In fact, few now chose polygamy, especially in large towns. When the entire society had been made fully aware of the issue, appropriate legislation could be enacted.

5. On the question about registrars who entered polygamous relations on the same marriage certificate, she said that was not in accordance with any regulations and was an erroneous practice. A number of associations, including the Association Of Women Jurists, had been organizing seminars for registrars to train them on how to complete marriage certificates so as to protect the rights of the individual.

6. There was no discrimination under the law in respect of succession and inheritance rights, but in practice customs and tradition were not favourable to women and the girl child. The Government was aware of the problem and action was being taking to address it. The Ministry of Women's Affairs had carried out a study in 1997 on the inheritance rights of women, which had confirmed the hypothesis that customs did not favour such rights,

especially in respect of landed property. Educational efforts were being undertaken throughout society on the need to accord equal value to boys and girls. Men were being associated as partners in efforts to promote women's rights. When husbands learned to accord equal value to wives, they would then designate them as their successors. Instruction was being given on how to write wills, the major problem in Cameroon being that most people died intestate, and custom then prevailed. The media were also being made aware of the problem.

7. "Levirate" (the custom whereby a widowed woman was automatically taken as wife by the brother of the deceased) still existed but was far less common than in the past. Improvements in women's education accounted for the change: most women now did not accept the practice, and most men felt ashamed about the idea. In the rare cases where it did occur, it was the woman who initiated it, which clearly showed the need for additional social conditioning and work to change attitudes. That was precisely the purpose of specific media programmes, such as those on women and development and women and society, and educational efforts. Widows' rights were protected by section 77 of the Civil Status Registration Ordinance.

8. The law on the minimum age for marriage still maintained a discrepancy between males and females. That had been designated as one of the areas for change in consonance with the Covenant, and also the Convention on the Elimination of Discrimination against Women and the Convention on the Rights of the Child.

9. The law on land tenure gave the right to own landed property to men and women alike. The problem, however, was that most land in Cameroon, especially in rural areas, was inherited. Social conditioning made women afraid of owning land. Although they had the right under the law to hold title to land, a 1997 study carried out in North-West Province showed that most women who owned land, and even those who had purchased it, did not want the title to be in their name but preferred it to be in the name of a male relative. Many women had even acknowledged their ignorance of the very process of acquiring land titles. Educational action was therefore obviously needed to encourage women to exercise their right to own land.

10. Under section 74, paragraph 1, of the Civil Status Registration Ordinance, women had the right to exercise a profession separate from that of their husbands, but paragraph 2 contained the proviso that that right could be challenged if a court judged that the separate exercise of a profession was not in the best interests of the family or children. The husband alone could not simply decide to oppose his wife's choice of profession, however; that must be done by a court.

11. On the question of equal pay for equal work, she said there was no discrimination in access to job opportunities, including in the civil service. In the past, women had been oriented towards certain occupations in keeping with their traditional roles. The tendency was now changing and much was being done by associations of women jurists, women doctors and women engineers and other social groups to promote women's involvement in all areas of activity. As to whether the value attached to women's work was the same as that for men's, it was generally recognized that most work done

by women in their traditional role was held in low esteem. One of the priority goals in the plan of action for women was to raise the status of women's work in all domains.

12. Eradication of the practice of female genital mutilation was also covered in the plan of action, which ran from 1998 to 2010. The relevant activities under the plan had already been funded and one of the studies it envisaged was already being carried out. Field actions and educational efforts, such as sensitizing the public to the negative impact of female genital mutilation, in social, psychological and medical terms, were already under way. They focused on the provinces in the south-west and extreme north of the country where the practice continued. Female genital mutilation was a traditional rite of passage into adulthood, but alternatives to that rite were being investigated. Work was being done with traditional birth attendants, most of whom were elderly women who were remunerated for performing the rite, but alternative sources of income were being sought for them. There was no specific law as yet but legislation was one of the areas covered by the plan of action. The Convention on the Elimination of Discrimination against Women actually recognized the fact that legislation alone could not in itself overcome problems linked to attitudes. Lawmaking must be effected in harmony with economic, social and cultural changes, and to achieve such changes, education was the key. The judiciary were also being encouraged to use existing laws to combat the practice.

13. As to the duality of legal practice in Cameroon and its adverse effect on the advancement of women, it was true that both customary and written law were recognized as part of the legal system. Not all custom was bad, however. The Ministry of Women's Affairs had done a study to identify positive customs and change negative practices with regard to women. In 1998, International Women's Day had been celebrated under the theme of customs and practices that discriminated against women. The purpose had been to inventory such practices and devise measures for correcting them, and a plan of action was being developed to that end.

14. Lastly, she had no information on the use made of the funding provided by the Government of the United Kingdom for efforts to combat female genital mutilation. It would be helpful to know whether the funds had been given directly to the Government or to an association or agency. She undertook to follow up the question when she returned to Cameroon.

15. Mr. OTONG (Cameroon), responding to questions on the powers of the executive branch, said Decree No. 78-485 set out the powers of heads of administrative districts and gave prefects the responsibility of ensuring respect for and proper enforcement of the law. Prefects had no authority to interpret the law; their task was to carry it out. However, case law revealed instances in which prefects had been found guilty of making their own interpretation of the country's laws and regulations.

16. He confirmed that the state of emergency in Mfoundi had been lifted on 19 December 1991. Under article 4 of the relevant law, a state of emergency ended automatically upon expiry of the time frame set in the

decree on its proclamation or renewal. No additional decree was necessary. The original decree also specified the exact region to which the state of emergency was to apply.

17. Declaration of a state of emergency meant that there was serious danger to public order or the security of the State. The President's special powers during a state of emergency were usually delegated to the administrative authorities. Such powers included prohibiting any meeting or publication that might lead to public disorder, creating protection or security zones, ordering police custody for any person deemed to pose a threat to public security, ordering the closure of places of entertainment and drinking establishments, instituting controls over the press, ordering the disbandment of any group, suspending combat-oriented or militia-like associations, ordering house arrest for any individual who was considered to endanger law and order, and ordering police custody for two months (renewable) for individuals deemed to be dangerous. The adoption of any of those measures must be notified to the National Committee for Human Rights and Freedoms.

18. Mr. MAHOUVE (Cameroon), answering questions on legal matters, said that treaties could be ratified only by the President, through decree. If a treaty dealt with the competences of the legislature, prior approval by parliament was mandatory before the President could ratify it. Such approval could not be given if the Constitutional Council had declared the text to be contrary to the Constitution. He cited article 26 of the Constitution, which set out the powers reserved for the legislature.

19. The position of international instruments within Cameroonian legislation was specified by the Constitution. In general, duly ratified international treaties or agreements had supra-legislative status, subject to the rule of reciprocity. International human rights instruments were not subject to that rule, however; the constitutional reform of 18 June 1996 had solemnly reaffirmed that distinction and integrated them into the legal corpus of Cameroon.

20. On the controversial question of the death penalty, he said it had not yet been abolished. The Government was allowing the social debate on that sensitive issue to continue, but no executions had been carried out recently in Cameroon. The death penalty remained part of the enforcement machinery but was rarely applied. The crimes for which it could be imposed were the most serious ones - murder and crimes against the State.

21. Mr. EKOUMOU (Cameroon), replying to a question relating to the National Committee for Human Rights and Freedoms (CNDHL) (paras. 5-7 of the report), said the fact that CNDHL had been established by Presidential Decree did not mean that it was not an independent body. Although unable to indicate the ethnic background of its members for the reason that ethnic origin was not a criterion employed in his country, he could affirm that the membership reflected Cameroon's sociological and political pluralism. The 22 regular members, 4 of whom were women, were drawn from many different walks of life and included judges, members of NGOs, representatives of the Administration and members of political parties represented in the National Assembly. Reports addressed by CNDHL to the Chief of State were forwarded

to, and taken into consideration by, the relevant ministries. The President had never made any attempt to interfere in the activities of CNDHL, whose position had, in a number of cases, been at variance with the Government's human rights policies.

22. Ms. MBASSI (Cameroon), replying to a question asked about a Cameroonian citizen allegedly prevented by the police from participating in celebrations of the fiftieth anniversary of the Universal Declaration of Human Rights in Paris, said that she was not aware of the person in question being refused permission to leave the country. The man had been active in the anniversary celebrations held within Cameroon, taking part in numerous round tables in various cities. She undertook to investigate the allegation on her return to Cameroon if additional details could be supplied.

23. The CHAIRPERSON, noting that the delegation of Cameroon had answered all the supplementary questions raised in connection with questions 1-12 of the list of issues, invited it to reply to other questions on the list.

24. Mr. Amor (Vice-Chairperson) took the Chair.

25. Ms. MBASSI (Cameroon), replying to question 13, said that the use of weapons by security forces was governed by articles 3, 4 and 5 of the Act of 1990 and by various circulars issued to the police and the National Gendarmerie. It could not be denied that a number of abuses had taken place. As already reported, the Government was doing everything it could to investigate all allegations of misuse of firearms by members of the security forces and to bring the offenders to court. A number of policemen had been prosecuted and sentenced to imprisonment, as well as being required to pay compensation to the victims' families.

26. Mr. MANDANDI (Cameroon), speaking as a senior official of the Ministry responsible for the National Gendarmerie, read out the text of a circular listing the circumstances in which the use of firearms by gendarmes was authorized.

27. Ms. MBASSI (Cameroon), replying to questions 14, 15 and 16, said that in addition to the documents referred to in the report, copies of which would be provided to the Committee on request, there had been a number of meetings with senior members of the security forces in which great emphasis had been placed on the need for the police to take a more professional and more humane approach to the performance of their day-to-day tasks. Nevertheless, cases of ill-treatment of detainees did still occur and some senior officials of the national security services, including a chief inspector of police, had been found guilty of torture and sentenced to prison terms of up to six years, as well as being ordered to pay large sums in compensation.

28. Mr. MANDANDI (Cameroon) said that a Gendarmerie officer had been sentenced to 15 years' imprisonment for the unlawful killing of a citizen. Other gendarmes had received 12 and 10-year sentences as accessories.

29. Ms. MBASSI (Cameroon), replying to question 17, said that the text of the law on torture had been widely distributed to the security services. In

addition, a number of instructions had been issued, including a new regulation whereby the state of each detainee's health must be checked every morning. All cases beyond the competence of the ordinary police must be transferred to the Judicial Police without delay, and the decision to detain a person in police custody was no longer left to police officers below a certain rank.

30. The CHAIRPERSON requested the delegation to provide copies of the documents in question.

31. Mr. MAHOUVE (Cameroon), replying to question 18, said that the Act of 1990, already referred to in connection with a number of questions, was applied throughout Cameroon and not only in Anglophone areas. Article 16 of the Act provided for the possibility of applying for immediate release from detention (habeas corpus). He would be pleased to supply the texts of decisions taken in that connection by courts in various cities.

32. Replying to question 19, he said that, in his view, article 16 of the Act of 1990 did reflect the principles set forth in article 9, paragraph 4 of the Covenant. In reply to questions 20 and 21, he said that while it was true that the concept of habeas corpus was relatively new to Francophone Cameroon, that of bail was well known in Cameroonian criminal law. Several references to bail could be found in the Penal Code. It was true that the maximum period for which a magistrate could order someone to be held in pre-trial detention was not determined by law. The Ministry of Justice was fully aware of the lacuna and was taking energetic steps to limit the possibility of abuses, inter alia by increasing the number of magistrates and reducing their workload.

33. Mr. OTONG (Cameroon), said that 15 days did not seem excessive in cases involving organized crime and requiring meticulous investigation.

34. Ms. MBASSI (Cameroon), replying to question 22, said that administrative custody of persons suspected of participation in organized crime was governed by an administrative circular dated November 1997, in addition to the legal provisions referred to in the report. Organized crime was defined as attacks on persons or property perpetrated by one or more individuals or an armed gang, acts of vandalism or arson, hold-ups or hostage-taking. The authorities empowered to place a suspect in administrative custody were the provincial governor and the prefect of police. Custody beyond a period of 30 days (15 days, renewable once) required preliminary authorization by the competent Minister. Appropriate premises of the Gendarmerie, the prison service or the police served as places of detention. A copy of each decision relating to administrative custody was automatically communicated to the Minister.

35. Mr. OTONG (Cameroon), replying to question 23, said that under a decree issued in 1992 an extensive programme of prison reform had been launched, designed to improve conditions for both staff and prisoners. The decree had fixed the rate of the danger allowance payable to prison staff, and had made provision for prison visits, open days and cultural events. Prisoners were permitted to address written complaints to the prison authorities or the prison inspectorate, and a health unit staffed by

qualified persons was compulsory in every prison. However, it sometimes happened in practice that in certain prisons the services provided fell short of the required standard, not through any desire of the authorities to impose harsh conditions, but simply through lack of resources. The Office of the High Commissioner could perhaps help his Government to overcome the problem of prison overcrowding, which was not unique to Cameroon. Separation of male prisoners from women and minors was required by law, and separate quarters were provided for women and minors in all prisons.

36. The CHAIRPERSON invited members of the Committee to put questions to the delegation on questions 1 to 23 of the list of issues.

37. Mr. SOLARI YRIGOYEN said he particularly appreciated the detailed replies given by the delegation to questions raised, since he had found the report rather imprecise in some areas.

38. The problem of women's equality was of particular concern to him, and he was glad to hear that efforts were being made to change public attitudes. He had been interested to learn that polygamy was definitely on the decline, which meant that its eventual eradication would be easier. He appreciated the efforts made by the authorities to effect change, even though they had not yet been fully successful.

39. He was also concerned at the lack of specific regulations governing a state of emergency, and urged that the situation should be brought into line with article 4 of the Covenant. He welcomed the setting-up of the National Committee on Human Rights and Freedoms, and also welcomed the statement that the provisions of international treaties would prevail over domestic law, though it was not entirely clear whether that was always the case in practice.

40. He was aware that Cameroon had established a multi-party political system, but reports from various sources indicated that the dialogue between Government and opposition left much to be desired, and that attempts to strengthen it had failed. The opposition had called for the reform of the Constitution to allow for the setting up of an independent electoral commission. Did the Government intend to take steps to set up such a commission as a way of strengthening the democratic system?

41. It had been stated that measures had been taken to promote freedom of the press, notably by abolishing censorship. However, the Committee had received reports of journalists being arrested and imprisoned for exercising that freedom. For instance, the editor of the newspaper Le Messager had been arrested in December 1997 for publishing an article casting doubt on the health of the President. He had been found guilty of propagating false information and sentenced to two years' imprisonment and a fine. A committee had been set up to campaign for his release, and a member of that committee attempting to travel to Europe to pursue the campaign had been detained for two days at the airport.

42. There had been a series of similar cases. One journalist had been found guilty of libel and sentenced to six months' imprisonment and a fine for publishing an article accusing a member of the ruling party in the

National Assembly of corruption. Another had been sentenced to eight months' imprisonment for publishing an article accusing a Minister and member of the National Assembly of embezzlement of public funds, and another had been convicted for publishing an article revealing that a provincial governor had ordered a cut in the salaries of civil servants.

43. There had also been a number of cases in which members of opposition parties had been arrested and charged with serious offences. A member of the Social Democratic Front, for example, had been imprisoned on a charge of planning an armed attack, but no evidence had ever been produced and he had eventually been released. The Committee had received reports of the unlawful detention and ill-treatment of members of the opposition party known as the National Union for Democracy and Progress. He would be grateful if the delegation could provide information on those cases.

44. He would also appreciate more detailed information on the fate of the 50 persons arrested following the events of 1997 in North-West Province. What charges had been brought? Had a trial been conducted? And what sentences had been handed down? He had been glad to learn from the delegation that various circulars had been issued in an effort to combat torture, but feared that such measures were inadequate since reportedly a large number of prisoners had been tortured. For instance, the chairman of the Youth League of Cameroon had been paralysed from the waist down and blinded as a result of torture. The Committee understood from reports received that the torture and ill-treatment of detainees were continuing in Cameroon. A number of prisoners had received fatal injuries following attempts to escape, and it would seem that the authorities had not taken any steps to punish those responsible. The wife of another imprisoned journalist had been attacked by two warders when attempting to visit her husband, as a result of which her baby had been stillborn.

45. While the Committee had been glad to hear, at the time the second periodic report had been submitted, of plans to introduce reforms, it was greatly concerned at reports that prison conditions were still extremely harsh due to overcrowding, inadequate hygiene, lack of medical treatment and poor food.

46. He understood that dozens of extrajudicial executions had taken place in South and North-West provinces during a campaign to eradicate armed robbery and banditry. Though such a campaign might be justified, there was a great danger that without proper control the police and security forces would take it upon themselves to decide who was guilty. It had been reported that many people had been executed or disappeared simply on suspicion of theft, and a photographer had been arrested for distributing pictures of the victims of two such executions. Reports had also been received of the use of excessive force by members of the security forces: thus, one store owner had been shot dead by police during a search for stolen property. It would appear that a number of death sentences had recently been imposed, although the delegation had stated that they had not yet been carried out.

47. Lastly, the Committee would be glad to receive an assurance that refugees entering Cameroon from Equatorial Guinea and Chad would not be sent back to their countries.

48. He appreciated the spirit of cooperation shown by the delegation, which he was sure would contribute to improving the human rights situation in the country.

49. Mr. WIERUSZEWSKI commended the delegation for its replies, which were evidence of how seriously it took its obligations under the Covenant. He was sure that its attitude would permit a constructive dialogue, which would lead to positive results.

50. While the Committee had been assured of the State party's intention of addressing by means of legislation the problems of torture and ill-treatment of detainees, arbitrary executions, and abuse of authority during interrogation, it had not received much information about the actual situation in the country. The many cases cited by Mr. Solari Yrigoyen raised doubts as to the effectiveness of legislation, and he would be grateful for more information on how the Government assessed the effectiveness of the Act of January 1997 under which torture had been made a crime.

51. Paragraph 24 of the report stated that many complaints concerning acts of torture or degrading treatment had been lodged. Was there an independent mechanism for lodging such complaints? Paragraph 25 stated that at least 325 police officers had been punished for human rights violations over a five-year period. He would be glad to have more recent figures, which would indicate whether such practices had decreased following the measures taken by the Government. To what extent was the public informed of instances where human rights violations by law-enforcement officials had been punished? He would be glad to have more details of the "special internal measures", referred to by the delegation, which had been adopted to deal with the problem. It was essential for a country to establish the rule of law if protection of human rights was to be ensured. He shared the concern expressed by the previous speaker at cases where members of opposition parties had been held without trial, in violation of article 9 of the Covenant.

52. Lord COLVILLE asked whether the circular of 13 November 1997 relating to article 2 of Act No. 90-054 gave the prefect or governor powers to order administrative detention for an indefinite period, with no right of appeal. He would be greatly shocked if that was the situation. He would like to know in what circumstances and under what rules the police could confiscate passports to prevent persons leaving the country, since article 12, paragraph 3, of the Covenant laid down clear restrictions on such powers. Lastly, was it the case that prisoners held before trial had to provide their own food and medical treatment?

53. Mr. MAHOUVE (Cameroon), in reply to question 24, said his delegation had already described the measures taken to ensure the independence of the judiciary.

54. On the question of impartiality, he said the statute governing the judiciary prohibited judges from engaging in any commercial or industrial activity. Similarly, the spouse or relations of a judge could not be employed in any capacity in a court presided over by him. Under article 164 of the Code of Civil Procedure, if a judge was suspected of partiality, the case must be transferred to another court. A judge could be challenged if there were any circumstances likely to make it difficult for him to give an impartial judgement. Publicity given to court proceedings provided another safeguard against partiality, and any judge found guilty of such partiality could be ordered to pay damages.

55. Speaking on question 25, he stated that the first draft of the uniform Criminal Procedure Code had been completed and widely discussed. However, it had not yet been submitted to the legislature, owing to the recent establishment of the International Criminal Court, whose rules of procedure had yet to be defined. In accordance with the principle of complementarity which had governed the court's establishment, the Government wished to review the draft code in the light of the court's prospective rules of procedure before submitting a final text to the legislature.

56. The difference between the two criminal procedure codes applied in Anglophone and Francophone Cameroon resided mainly in their penal systems. The Criminal Procedure Ordinance derived from the adversarial system, in which the judge played a relatively neutral role, whereas the French Code of Criminal Procedure was based on the inquisitorial system, in which the judge enjoyed greater power of direct participation in seeking out the truth.

57. Question 26 concerning the independence of the judiciary had been answered in his reply to question 24 on the right to a fair trial. Passing to question 27 on the alleged lack of access to legal counsel, he considered the differences between the two systems to be insignificant. Article 38 of Act No. 58/203 of 26 December 1958 adapting and simplifying the criminal procedure applicable in former East Cameroon stipulated that, where the accused had not nominated counsel, one would be assigned; the person might be an attorney, or a citizen capable of assisting the accused in his defence. That law had virtually reconciled the situation prevailing in each part of Cameroon, although it was not without its practical difficulties. In particular, the commissions that determined poverty worked extremely slowly, and qualified attorneys were reluctant to participate in the scheme owing to the miniscule fees. A similar provision existed in former West Cameroon, whereby an accused person who could not afford a lawyer could apply for a dock brief.

58. The Government considered that every accused should have access to an appropriate defence. A 1976 decree concerning legal assistance allowed any person unable to afford counsel to apply for legal aid. That decree would be improved with the adoption of the new uniform Criminal Procedure Code, which conferred that right on anyone held in pre-trial detention. The principal problem was the defendants' ignorance of their entitlements.

59. Mr. MANDANDI (Cameroon), responding to question 28 on the list of issues, said that Act No. 97/008 of 10 January 1997 had amended certain provisions of Ordinance No. 72/5 of 26 August 1972 and established the

following conditions in which civilians were subject to the jurisdiction of the military courts. They must be over 18 years of age, must be co-defendants or accessories in offences of any kind committed by military personnel either inside a military establishment or in the line of duty, or must themselves have committed a crime subject to court martial.

60. Mr. ZOGO (Cameroon), replying to question 29, said that a journalist, like any other citizen, was immune from arbitrary arrest; but he was liable to prosecution if he used the media to disseminate information detrimental to public order, public morals, or other public or private interests.

61. Administrative censorship in Cameroon had been abolished under the 4 October 1996 amendment to Act No. 90/052 of 19 December 1990. The removal of that preventive censorship had led to an increase in the number of cases of abuse of press freedom brought before the courts. According to a study conducted at the request of the Ministry of Communication concerning the parties initiating prosecutions, during the period 1994-1999, out of 30 cases brought before the courts, only 4 had been initiated by the State. Most of them concerned dissemination of false information and, very occasionally, insulting material. That figure evidenced the policy of the Public Prosecutor to refrain from systematic prosecution of persons committing offences under the press laws and, more generally, from restricting press freedom. The vast majority of proceedings were brought by private individuals; and it would not be in the interest of the rule of law for the State to attempt to discourage them.

62. Some 90 per cent of proceedings brought concerned alleged defamation. Where a journalist could adduce proof of the veracity of his allegations, he would naturally be acquitted. However, some journalists were far from conscientious in substantiating their allegations, displaying a lack of professionalism, and some of them had actually received prison sentences. Currently, however, there were no Cameroonian journalists under arrest or in prison.

63. He expressed surprise at the inclusion of question 30 in the list of issues since the expression of opinions of an ideological nature was not an offence in Cameroon. Ordinance No. 062/OF/18 of 19 March 1962, concerning the repression of subversion, had been specifically repealed under Act No. 90/046 of 19 October 1990. The 1962 Ordinance had been an emergency measure enacted at the height of the rebellion, which had continued beyond the country's accession to independence in 1960. It had been designed to strengthen national unity in a situation which offered little scope for the establishment of democratic institutions. Some of the offences designated as such in that Ordinance had already been offences under general legislation, but in a state of emergency they were more severely punished. The 1990 Act had abolished the new offences defined in the 1962 Ordinance and had at the same time re-established the applicability of general legislation to the offences it had previously covered, which had been incorporated within the scope of the Ordinance. Thus, the term "rebellion" no longer had the same connotation as under the emergency legislation, and applied exclusively to deliberate obstruction of law enforcement. Accordingly, expression of opinion no longer constituted an offence.

64. He explained that Mr. Nana Koulagna had stood for re-election upon the expiration of his term of office as a member of parliament. He had been opposed, and at electoral meetings brawls had broken out between supporters of the rival candidates, during which firearms had been used and deaths had occurred. Such cases came under the jurisdiction of the military courts. It was for that reason, and not in respect of any political offence or expression of opinion, that Mr. Koulagna had been charged by a military court. The case was still under investigation, and because of the secrecy of the investigation process, his Government was unable to supply further information.

65. Mr. OTONG (Cameroon), referring to question 31, said the basic legislative instrument governing trade union activities stipulated that a union desiring registration was required to file an application with the competent ministry and submit its by-laws for approval, the application serving as a declaration of constitution. The conditions to be met were laid down by law. No prior authorization to establish a union was necessary. Workers in non-registered unions enjoyed the same constitutional rights and protection as Cameroon nationals who were not union members.

66. In connection with question 32, he stated that Act No. 90/56 of 19 December 1990 had established a multi-party regime in Cameroon: there were currently 156 legal political parties in the country. In addition, the period allowed for the revision of the electoral lists had been extended to cover the entire year, and an Electoral Code had been adopted which, among other things, authorized representatives of the political parties to participate in the work of the committee responsible for electoral matters. The Constitutional Council ensured the regularity of all electoral operations and served as the instance of appeal. In his view, the electoral system in Cameroon was one of the most liberal in Africa.

67. Turning to question 33, he pointed out that the Cameroonian Constitution was non-sectarian, and consequently did not confer a dominant position on any one religion. In the north there were not only Muslims and Christians, but also large numbers of animists. Individual religious leaders might well have acted from time to time in a manner offensive to members of other religions; but no acts of government discrimination had taken place. The inhabitants of those areas lived together harmoniously in their secular daily lives.

68. Mr. ZIBI NSOE (Cameroon), replying to question 34 concerning minorities, and more specifically the situation of the Baka Pygmies, explained that the latter were forest-dwellers who survived by fishing and gathering. Notwithstanding contacts with their Bantu neighbours, they lived to a considerable degree in isolation from national life, and the Government felt obliged to integrate them into the national community. One initial difficulty in identifying the populations concerned stemmed from the fact that they rarely registered births, marriages or deaths. Social workers were now registering births and deaths, but registration of marriages was virtually impossible.

69. Special efforts were being made to educate the children and to induce parents to register their children in schools; however, it was not easy,

since only very few children were registered. Measures were also being taken to improve health standards among that population. Finally, efforts were under way to promote Baka participation in the nation's cultural life. As it was, however, those initiatives all originated with the Government, the Baka displaying scant interest in active participation in any of those schemes.

70. Regarding ethnic minorities in general, the number of different ethnic groups was such as to complicate the implementation of the constitutional provision guaranteeing their protection. He stressd that while the political parties were doing their utmost to ensure that the various groups were entered on the electoral rolls, that type of initiative needed to stem not only from the authorities and institutions, but also from the individuals concerned.

71. Mr. ZOGO (Cameroon), replying to question 35 on the list of issues, declared it to be government policy to disseminate information concerning the submission of the country's report and its consideration by the Committee. The information was circulated throughout the machinery of government - particularly the ministries directly concerned, all of which were represented on the Cameroon delegation - and to the public at large. Each ministry was required to hold regular press conferences on its activities; the information supplied at those conferences was further disseminated by the participants, and via the broadcast media, in particular.

72. With regard to education and training, seminars were held for police officials and university teachers, and related subjects were also included in university and school syllabuses. Finally, there was a national programme for familiarization with the laws, in which the provisions of the Covenant figured prominently.

The meeting rose at 1.05 p.m.